

Rev. 9/13/07

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Courtroom Minute Sheet – Criminal Case

Date 10/10/07 Judge Magallon Case No. 07cr143JCHmmUNITED STATES OF AMERICA v. Michael DardenCourt Reporter TR Gould Deputy Clerk K. JonesAssistant United States Attorney(s) Carrie Costantino, Reggie HarrisAttorney(s) for Defendant(s) Michael KieleyInterpreter _____ ☐ SEALED PROCEEDING**Proceedings:**

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Initial Appearance | <input checked="" type="checkbox"/> Detention Hearing | <input type="checkbox"/> Revocation |
| <input checked="" type="checkbox"/> Arraignment | <input type="checkbox"/> Bond Review | <input type="checkbox"/> Probation |
| <input type="checkbox"/> Preliminary Examination | <input type="checkbox"/> Bond Execution/Appearance Bond | <input type="checkbox"/> Supervised Release |
| <input type="checkbox"/> Motion Hearing | <input type="checkbox"/> In Court Hrg (WAIVER OF MOTIONS) | <input type="checkbox"/> Competency |
| <input type="checkbox"/> Evidentiary Hearing | <input type="checkbox"/> Change of Plea/Sentencing | <input type="checkbox"/> Pretrial/Status Conference |
| <input type="checkbox"/> Oral Argument/Non Evidentiary Hearing | <input type="checkbox"/> Rule 5(c)(3) Removal (Identity) | <input type="checkbox"/> Material Witness |

Parties present for hearing on Def orally waives the filing of pretrial motions.☐ Oral Motion for appointment of counsel (GRANTED) ☒ Defendant is advised of rights/indicates understanding of those rights.☐ Bail/Bond set in the amount of: \$ _____ ☐ Secured Appearance Bond ☐ Secured by 10%☐ Secured by cash only ☐ Secured by property ☐ Unsecured bond ☐ O/R bond☐ Government filed motion for pretrial detention. Detention hearing scheduled for _____ @ _____☐ Preliminary examination set for _____ @ _____☒ Defendant arraigned ☒ Waives reading of indictment/information ☐ Matter taken under advisement☒ Plea entered not guilty Order on pretrial motions: ☐ issued ☐ to issue☐ Oral Motion for Suppression ☐ Oral Motion for Extension of Time to File Pretrial Motions☒ Defendant waives det hrg ☐ order to issue ☐ oral ruling☐ Defendant waives evidentiary hearing ☐ By leave of court withdraws all pretrial motions

Trial date/time _____ Before _____

☒ Remanded to custody ☐ Released on bondNext hearing date/time 10/10/07 @ 1030 Type of hearing Change of Plea Before JCHProceeding commenced 859 am Proceeding concluded 900 Continued to _____☐ Based upon the evidence produced, the Court finds probable cause to believe the defendant violated the law set out in the criminal complaint.

Tape # _____ from _____ to _____

**RULE 5 INITIAL APPEARANCE RECORD BEFORE
MAGISTRATE JUDGE MARY ANN L. MEDLER**

Mag. No. 4:07MJ7150 MLM
D/C Case No. 4:07CR143-JCH (MLM)

Defendant's Name: MICHAEL J. DEVLIN

SSN# _____

Date of Initial Appearance: 10/10/07 Proceedings Commenced _____

Date Federal Custody Commenced: _____

U.S. Attorney: Carrie Costantini ☒ Present ☐ Not Present

Defense Attorney: Michael Rielly & Thomas B. Corliss ☒ Present ☐ Not Present

Defendant advised of following:

☒ Nature of Offense ☒ Given copy of Comp/Indict/Info/Petrn

☒ Right to be represented by counsel

☒ Right to have counsel appointed, if indigent

☒ Retained: _____

☐ Appointed: _____

☒ Right to remain silent; and that defendant's statements can be used against him/her.

☒ Right to preliminary hearing under Rule 5.1 or Rule 32.1 within 10 days if detained; and within 20 days if released.

☒ Right to hearing here under Rule 5 if charged in another district.

☒ Right to transfer here for guilty plea under Rule 20 if charged in another district.

☒ Pretrial services bail report received on _____

From Pretrial Services Officer: _____

Defendant's residence: incarcerated Tel. No. _____

Defendant's Age: 41 DOB: 11/19/65 Sex: M Race: W

Married; Spouse's Name: _____ No. of children 0

☒ Single Ages: _____

☐ Divorced

Defendant's current employment: incarcerated

Location of defendant's family: E.D. Mo

Defendant's prior convictions:

Bail set at: ineligible for Sec. Unsec. O.R. Cash Property 10%
bond. In state custody AB AB Only

Motion for detention hearing made by: ✓ United States; _____ Magistrate Judge

Detention hearing set for 10/10/07

Disposition at Initial Appearance: ✓ Committed to Custody

_____ Released on Bond

Next Appearance: 10/10/07 at 10:30 a.m. for Change of Plea
Date Time Proceeding

Before Judge jean C. Hamilton

Case to remain: _____ Sealed _____ Unsealed — Proceedings Concluded: _____

Notes: _____

Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

ARRAIGNMENT RECORD BEFORE U. S. MAGISTRATE JUDGE

USA v. Michael J. Derlin Case No. 4:07 CR 143 JCH (MLM)
Government's Counsel CARRIE COSTANTIN
Defendant's Counsel MICHAEL KIELTY Ethan B. Corliss
Interpreter N/A

☒ DEFENDANT PLACED UNDER OATH

Defendant's correctly spelled name yes

Defendant's age 41 DOB 11/19/65

☒ Defendant waives reading of Indictment

☒ Defendant ARRAIGNED

☒ Defendant pleads NOT GUILTY to _____ Count(s) of the indictment

☒ TRIAL TO BE SET by Judge _____

☒ Change of Plea
~~TRIAL~~ SET on 10/10/07 at 10:30 A.M. before Judge Jean C. Hamilton

☒ Counsel orally moves for time to file Pretrial Motions

☒ Motion Granted and Order Concerning Pretrial Motions given to parties

☒ Evidentiary Hearing set on _____ at _____ before Judge Mary Ann L. Medler

☒ Report & Recommendation due _____

☒ Defendant remanded to custody of U.S. Marshal

☐ Defendant released on existing bond

Date of Arraignment:

10/10/07

Mary Ann L. Medler
Mary Ann L. Medler
United States Magistrate Judge